

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

INGENIADOR, LLC,

Plaintiff,

v.,

ALFRESCO SOFTWARE, INC.; *et al.*,

Defendants.

CIVIL NO. 11-1840 (GAG)

FIRST REQUEST FOR ENLARGMENT OF TIME
TO PLEAD OR OTHERWISE DEFEND

TO THE HONORABLE COURT:

COMES NOW the co-defendant, **Microsoft Corporation (“Microsoft”)**, specially appearing by and through its attorneys, without submitting to the jurisdiction or venue of this forum nor waiving any other defense, and hereby very respectfully requests a first extension of time of thirty (30) days, until **November 7, 2011**, to plead or otherwise defend as follows:

1. Upon information and belief, the plaintiff filed the captioned matter against Microsoft and other co-defendants on or about August 26, 2011. See, Docket No. 1.
2. On or about September 15, 2011, the plaintiff served Microsoft with a copy of the complaint and summons. If service was properly effected, Microsoft would have until October 6, 2011 to plead or otherwise respond.

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3. Microsoft needs more time to, among other things, analyze the plaintiff's claims, ascertain whether service of process was effective, jurisdiction and venue proper, and determine how to plead or otherwise defend.

4. Therefore, pursuant to Local Rule 6 of this Court and Rule 6(a) of the Federal Rules of Civil Procedure ("FRCP"),¹ Microsoft requests a first extension of time of thirty (30) days counted from October 6, 2011 to plead or otherwise defend and/or request. The requested extension of time would expire on November 7, 2011.²

WHEREFORE, pursuant to Local Rule 6(a) and FRCP 6(a), Microsoft moves for a first extension of time of thirty (30) days to respond to, or otherwise defend from, the plaintiff's complaint, said extension expiring on November 7, 2011.

I CERTIFY that today, I presented the foregoing to the Clerk of the Court for filing and uploading to the CM/ECF system which will send electronic notification of such filing to plaintiff's counsel.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 5th day of October, 2011.

FIDDLER, GONZÁLEZ & RODRÍGUEZ, PSC

**Attorneys for Defendants Microsoft Corporation
and Hewlett-Packard, Inc.**

¹ According to Local Rule 6, "[t]he clerk is authorized to enter orders granting a first extension of time, provided it encompasses a period not to exceed thirty (30) days. Any further extensions of time can only be granted by the Court."

² Technically, the requested enlargement would expire on November 5, 2011. However, November 5, 2011 is a Saturday. Pursuant to FRCP 6(a)(1)(C), Microsoft would have until Monday, November 7, 2011, to plead or otherwise respond and/or request.

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